

United States District Court

JAN - 4 2019

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

Marcial Cerda-Martinez

CRIMINAL COMPLAINT

Case Number: M-19-0022 -M

IAE YOB: 1970

Mexico

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about January 3, 2019 in Hidalgo County, inthe Southern District of Texas

(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to Mexico in pursuance of law, and thereafter was found near Mission, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Senior Patrol Agent and that this complaint is based on the following facts:

Marcial Cerda-Martinez was encountered by Border Patrol Agents near Mission, Texas on January 03, 2019. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on January 03, 2019, near Hidalgo, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on September 14, 2018 through Alexandria, Louisiana. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On January 15, 2010, the defendant was convicted of Manufacture and Delivery of a Controlled Substance greater than or equal to 4G less than 200G and was sentenced to five (5) years probation.

Continued on the attached sheet and made a part of this complaint:

Approved by Robert Guerra
AUSA

Sworn to before me and subscribed in my presence,

January 4, 20198:49 am

Peter E. Ormsby, U.S. Magistrate Judge
Name and Title of Judicial Officer

☐ Yes ☒ No

Signature of Complainant

Mickel Gonzalez

Senior Patrol Agent

Signature of Judicial Officer